

Montgomery County Board of Canvassers
18753 North Frederick Avenue
Suite 210
Gaithersburg, Maryland 20879-3124

APPROVED

Provisional Canvass Minutes for the 2016 General Election

Board of Canvassers: James Shalleck, Chairperson
Mary Ann Keeffe, Secretary
Nahid Khozeimeh
Alexander Vincent
Graciela Rivera-Oven
David Naimon
Jacqueline Phillips

LBE/Supervisory Staff: Margaret Jurgensen, Alysoun McLaughlin, Jessica White, Bobbi Payne, Stella Gonda and Michelle Gonda.

Board Counsel: Kevin Karpinski was present as Board counsel.

DECLARATION OF QUORUM PRESENT

The meeting of the Board of Canvassers began at 10:00 a.m. on Wednesday, November 16, 2016 at the Board of Elections, 18753 North Frederick Avenue, Suite 210, Gaithersburg, Maryland 20879-3124. There was a quorum of the Board of Canvassers, and at least one member of the Board of Canvassers who is a registered voter of the principal minority party was present. The canvass participants were:

Alan Cecilio
Barbara Illinger
Bob Bokma
Bonnie Cole
Carol Layman
Carol Lewis
Cassie Chew
Chris Finney
Craig Messner
Deborah Broken Rope
Dianne Fontes
Ed Mitchell
Francis J. Thompson
George O'Hare
George Summers
Ismail Aadan
Jean Mitchell
Jerry Van Dyke

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Joyce Robb
Karen Copeland
Kimberly Lewis
Margaret Carney
Mark Flickinger
Mary Ellen York
Ralph McCrea
Regen Thomas
Rona Han
Ruth Noel
Shala Shamim
Shirley Williams
Susan Rittenberg
Vickie Witkin

PUBLIC OBSERVERS

None.

CONFIRMATION OF OATH

Prior to the commencement of the canvass, Barbara H. Meiklejohn, the Clerk of the Circuit Court for Montgomery County, administered and recorded the oath of each member of the Board of Canvassers. Substitute members of the Board of Elections and the Board Attorney were also sworn-in on the same day.

ELECTION/ANNOUNCEMENT OF OFFICERS

The Board of Canvassers elected James Shalleck as Chairperson of the Board of Canvassers and Mary Ann Keffe as Secretary. The motion passed unanimously.

PUBLIC NOTICE OF CANVASS

Public notice of the provisional canvass was provided by a media release on October 28, 2016, it was posted on the Montgomery County Board of Elections' website and was mailed to candidates.

VERIFICATION OF BALLOT SCANNER(S)

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Margaret Jurgensen – Election Director presented documents to the Board of Canvassers showing that the ballot scanners being used in the canvass successfully passed Logic and Accuracy Testing. Margaret Jurgensen reported that the memory cards created for this canvass was/were placed in the ballot scanners and sealed. Margaret Jurgensen provided the Board of Canvassers with the results from the Logic and Accuracy Testing. Margaret Jurgensen noted the following information from Logic and Accuracy Testing documentation for each ballot scanner being used in the canvass:

Provisional

Unit #1 Serial Number: DS8514080142

Tamper Tape serial numbers

Day 1	Day 2	Day 3	Day 4
Left Side: 16-216567	Left Side: 16-216592	Left Side: 16-216594	Left Side: 16-216582
Right Side (Top): 16-207879	Right Side (Top): 16-207879	Right Side (Top): 16-207879	Right Side (Top): 16-207879
Right Side (Middle): 16-216566	Right Side (Middle): 16-216566	Right Side (Middle): 16-216566	Right Side (Middle): 16-216566
Right Side (Bottom): 16-207877	Right Side (Bottom): 16-216586	Right Side (Bottom): 16-216593	Right Side (Bottom): 16-216581

Provisional

Unit #2 Serial Number: DS8516080267

Tamper Tape serial numbers

Day 1	Day 2	Day 3	Day 4
Left Side: 16-216569	Left Side: 16-216597	Left Side: 16-216596	Left Side: 16-216580
Right Side (Top): 16-216561	Right Side (Top): 16-216561	Right Side (Top): 16-216561	Right Side (Top): 16-216561
Right Side (Middle): 16-216566	Right Side (Middle): 16-216606	Right Side (Middle): 16-216599	Right Side (Middle): 16-216578
Right Side (Bottom): 16-216564	Right Side (Bottom): 16-216564	Right Side (Bottom): 16-216564	Right Side (Bottom): 16-216564

The Board of Canvassers confirmed that the counts on the ballot scanners were zero. The Board of Canvassers posted one copy of the Zero Report from the ballot scanners on the outside door to the

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Training Room where the canvassing was held. A second copy of the Zero Report, which remained attached to the ballot scanners was printed.

INDIVIDUALS WHO ASSISTED WITH SCANNERS

- Janet Ross
- Lisa Jones
- Martin Kim
- Darlington Brima
- Bryan Gyer
- Jerry Quarshie
- Lashell Lee
- Lisa Jones
- Justin Kolani
- Tim Gartrell
- Andre Johnson
- Todd Urosevich (ES&S Observer)
- Rick Dixon (ES&S Observer)
- Glen Tilley (ES&S Observer)
- Mike Dvork (ES&S Observer)
- John Speirs (SBE Observer)
- John Dvork (ES&S Observer)
- John S. (SBE Observer)

CANVASSING

Overview of Canvass Process

The canvass commenced at 10:10 a.m. on November 16, 2016.

The provisional ballot applications were presented to the Board of Canvassers with a recommendation. The recommendations were:

1. Accept provisional ballot application in full – recommend counting all votes cast on the provisional ballot.
2. Accept provisional ballot application in part – recommend counting some but not all votes cast on the provisional ballot style other than from the voter's jurisdiction, containing jurisdiction specific candidates, not available to out-of-jurisdiction voters, and statewide candidates, available to all voters.

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3. Reject provisional ballot application – for one of the reasons below.

Canvassing of Provisional Ballots

11,280 provisional ballots were presented for canvassing at this canvass.

Public Observers

There were no public observers.

Results

1. Election Director/staff presented 9,895 provisional ballots with the recommendation to accept them in full. The recommendation was based on the fact that staff had confirmed that each provisional application was submitted by a registered voter and was cast in the correct precinct where that voter currently resides. The Board unanimously voted to accept the recommendation and accept and count the provisional ballots in full.
2. Election Director/staff presented 1,385 provisional ballots with the recommendation to accept them in part. The recommendation was based on the fact that staff had confirmed that each provisional application was submitted by a registered voter and the provisional ballot was cast in the wrong precinct. The Board unanimously voted to accept the recommendation, and the ballots were referred to the duplicating team.
3. Election Director/staff presented 1,076 provisional ballots with the recommendation to reject because staff could not confirm that the applicant was a registered voter. The Board unanimously voted to accept the recommendation and reject the ballot(s).
4. Election Director/staff presented 86 provisional ballots with the recommendation to reject because the applicant returned a voted absentee ballot or already voted. The Board unanimously voted to accept the recommendation and reject the ballot(s).
5. Election Director/staff presented 37 provisional ballots with the recommendation to reject because the voter failed to sign the provisional ballot application. The Board unanimously voted to accept the recommendation and reject the ballot(s).
6. Election Director/staff presented 11 provisional ballots with the recommendation to reject because the applicant was not eligible to receive a provisional ballot. The Board unanimously voted to accept the recommendation and reject the ballot(s).
7. Election Director/staff presented 14 provisional ballots with the recommendation to reject because the applicant did not provide identification or personal identification information in time. The Board unanimously voted to accept the recommendation and reject the ballot(s).

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8. Election Director/staff presented 15 provisional ballots with the recommendation to reject because the applicant provided incomplete information on the provisional ballot application. The Board unanimously voted to accept the recommendation and reject the ballot(s).
9. Election Director/staff presented 20 provisional ballots with the recommendation to reject because the applicant provided his or her driver's license or social security number but the number was not verified. The Board unanimously voted to accept the recommendation and reject the ballot(s).
10. Election Director/staff presented 3 provisional ballots with the recommendation to reject because the applicant provided identification but the identification provided did not satisfy the requirements. The Board unanimously voted to accept the recommendation and reject the ballot(s).
11. Election Director/staff presented 2 provisional ballots with the recommendation to reject because there was no provisional ballot in the envelope. The Board unanimously voted to accept the recommendation and reject the ballot(s).
12. Election Director/staff presented 1 provisional ballot with the recommendation to reject because the ballot had an identifying mark. The Board unanimously voted to accept the recommendation and reject the ballot(s).
13. Election Director/staff presented 10 provisional ballots with the recommendation to reject because the applicant will not be or is not 18 years old or older by the general election. The Board unanimously voted to accept the recommendation and reject the ballot(s).
14. Election Director/staff presented 202 provisional ballots with the recommendation to reject because the applicant did not provide proof of residency in time. The Board unanimously voted to accept the recommendation and reject the ballot(s).

Provisional Canvass Reject Breakdown

Reject Code 1 - Not Registered	1,087
Reject Code 2 - Returned a voted absentee or already voted	86
Reject Code 3 - Voted the wrong primary ballot	0
Reject Code 4 - No signature on the application	37
Reject Code 5 - Applicant not eligible to receive a provisional ballot	11
Reject Code 6 - ID or DL# or SS# not timely received	14
Reject Code 7 - Incomplete information provided on the application	15
Reject Code 8 - DL# or SS# received but was not verified	20
Reject Code 9 - ID was received but did not satisfy the ID requirement	3
Reject Code 10 - No Provisional ballot or more than one provisional ballot	2
Reject Code 11 - No evidence to support alleged voting unit malfunction	0
Reject Code 12 - Identity challenge was upheld	0
Reject Code 13 - Order extending voting hours was invalidated	0
Reject Code 14 - Identifying mark on the ballot	1
Reject Code 16 - Applicant is not 18 years old by general	10

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Reject Code 17 - Proof of residency was not timely received	202
Reject Code 18 - Proof of residency was timely received but did not satisfy the ID requirement	0

Printing Canvass Results

After scanning all accepted in full and accepted in part provisional ballots, staff locked the voting unit and printed an Election Results Report. The Board of Canvassers confirmed that the number of accepted in full and accepted in part ballots equaled the number of ballots counted by the optical scan voting unit(s). The Board of Canvassers signed the Election Results Report and posted a second copy of the report.

RELEASE OF UNOFFICIAL RESULTS

Absentee Statistics	Number of Ballots
Total Provisional Ballots Presented Provisional Canvass	12,757*
Accepted in Full Ballots	9,895
Accepted in Part Ballots	1,385
Total Ballots Counted	11,280
Rejected Ballots	1,477

*Includes 1 provisional ballot that were as scanned at the polling place and is not reflected in the total number of provisional accepted in full ballots.

ADJOURNMENT

The canvass was adjourned upon the tabulation of the provisional results. The results were posted outside the canvass room.